

The Honorable Andrew Carter
United States District Judge for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 1007

Dear Judge Carter,

I am writing to you regarding the matter of the defendant, Michael Arnstein, who is due to come before you for sentencing for Case 1:17-cr-00570-ALC, United States v. Michael Arnstein, on October 19, 2018.

As you know, Arnstein has pled guilty to one count of conspiracy to forge a federal judge's signature.

I became interested in this case due to my longtime work as an online marketer who frequently assists individuals and companies in managing their online reputations, and I often work in instances where people have been falsely represented in webpages which appear prominently when their names are searched upon via Google, Microsoft's Bing, or elsewhere. I read in news reports about Arnstein's explanation that he was motivated to take the actions he did due to a lengthy online attack on his business's reputation. I frequently write about reputation-affecting news incidents as part of my long-time work as a columnist for Search Engine Land (<https://searchengineland.com>) and Marketing Land (<https://marketingland.com>), and I began to write a piece about Arnstein's case when the Justice Department's press release was

published in September of 2017.¹ Before I published it, Arnstein contacted me and provided me with the same documentation and timeline of events leading up to his plea that I understand his counsel provided to the court for sentencing consideration.

While it is obviously not acceptable for anyone to forge a court document nor a judge's signature, there are two aspects of Arnstein's case that strike me as fairly compelling reasons to consider generous leniency and which compelled me to take the time to carefully write this brief.

First, Arnstein was a victim of a criminal that seems to fairly beyond the current powers of our justice system, and his mounting desperation drew him ultimately to actions to give him a measure of relief that our government apparently could not. Arnstein is not even remotely isolated in this cycle of desperation – he is one of a number of people who have been thrust into extremis by a lacuna that was intentionally built into our system for the profit of large companies. It is pretty cruel for our society to intentionally build in a lack of relief for people who are being destroyed, and then to punish them for ultimately finding a way to survive and potentially prosper.

Secondly, Arnstein has contended he was seduced into his illegal actions due in large part to the legal advice of personnel at an online reputation management agency. While ignorance of the law cannot be allowed as a defense, it perhaps should be seriously considered as a mitigating factor, particularly in combination with the first point that there is essentially little other

¹ U.S. Attorney's Office. "Businessman Pleads Guilty To Conspiracy To Forge A Federal Judge's Signature." United States Department of Justice, September 15, 2017. Content location: <https://www.justice.gov/usao-sdny/pr/businessman-pleads-guilty-conspiracy-forge-federal-judge-s-signature>

practicable option. I have worked with a large number of reputation attack victims, and I find it doubtful that one would be likely to take the actions Arnstein ultimately did unless they were lead down a path by someone who had already gained experience in gaming the legal / business system in this way.

I take the action of writing to you quite seriously, as well as my action in advocating on behalf of an admitted criminal. I hope that you will take into account my experience in working to help online reputation attack victims and my lengthy experience in the search engine marketing industry. I have also served as an expert witness in defamation cases and internet marketing cases including the following sample set:

- In 2008, I provided expert testimony for the U.S. Dept. of Justice's informal hearings on potential consumer impacts of the proposed MicroSoft/Yahoo! ("Microhoo") merger and Google/Yahoo! Advertising syndication deals.
- In 2012, I provided expert witness service involving my online directory industry knowledge for the class action, *"Local 731 I.B. of T. Excavators and Pavers Pension Trust Fund et al. v. Swanson et al"* on behalf of the plaintiffs which was settled prior to trial.
- In 2014, I provided expert witness testimony involving my search engine marketing knowledge in U.S. Federal Court in Tampa, Florida, on behalf of PODS in *"PODS Enterprises, Inc., v. U-Haul International, Inc."*
- In 2014, I provided expert witness service for the Queen's Bench Division of the High Court in the U.K. in the case of *"Daniel Hegglin v. (1) Person(s) Unknown and (2) Google, Inc."* – a court case involving an online defamation attack victim who sued Google in

order to compel them to assist with his issues – a case that Google chose to settle on the eve of court proceedings after reviewing my expert reports rebutting their expert’s claims.

- In 2015, I provided expert witness service involving my search engine marketing knowledge on behalf of the defendant in *“Academy of Motion Picture Arts & Sciences v. GoDaddy.com, Inc. et al”*.
- In 2015, I provided pro bono service as expert witness on behalf of the plaintiff (a human trafficking victim and online defamation victim) in *“Bindu Pariyar, v. Tom Randall Sewell”* in the 68th Judicial District Court in Dallas County, Texas.

In writing to you about Michael Arnstein, I am also not working in a paid capacity. Arnstein has not been, and is not, one of my clients. I am writing to you as an amicus curiae, because of my extensive familiarity with the sorts of incidents similar to those experienced by Michael Arnstein and his company in terms of having their reputations attacked and heavily damaged online, as well as my familiarity with how the U.S. legal system responds to such unfair attacks, and how members of my industry who are specialized in assisting online reputation / defamation attack victims.

I would like to explain why I believe that the U.S. justice system has largely failed Arnstein and other online defamation victims, because this background is vital to take into consideration for fair sentencing in his case.

Here is the background:

- Congress knowingly set up conditions whereby businesses and individuals could be falsely defamed online with little to no recourse. Section 230 of the Communications Decency Act of 1996² made it so that online publishers of third-party-provided content are not legally responsible for that content. This category includes search engines where their search results are concerned – listings appearing in search results for one’s name are originally created by other people and websites, so despite the fact that these appear in search results, the search engine companies cannot be compelled to remove them through litigation or otherwise. This category of immune entities also includes online review sites where consumer reviews are posted, and other types of sites like social media platforms, etc. The legislature did this in order to reduce the onus for many types of online businesses in order to facilitate the commercial growth of the internet. However, the unintended (or knowingly allowed) negative consequences were that this set up conditions favorable for variations of online extortion and defamation. Arnstein’s business suffered all of this – false and defamatory things were published on a website set up to harm the company as well as fake negative reviews were published on business review websites and forums, and extortionary demands were made based upon this published reputation harm.
- Google and other internet intermediaries of online content urge victims of defamation to go to originating websites and individuals that publish false negative materials, and ask or compel them to remove the content. However, some websites have policies such

² 47 U.S. Code § 230. Copy at: <https://www.law.cornell.edu/uscode/text/47/230>

that they will not remove anything their participants write, and it is difficult to the point of impossible to identify, locate or compel some individuals, such as persons and websites originating from other countries. This is exactly the scenario that Arnstein faced – a foreign-based actor was repeatedly attacking his business online, and the police and FBI here do not have jurisdiction to reach the persons responsible. The only entities here in the U.S. that could remove the damaging materials are companies that are considered immune intermediaries under Section 230, such as Google, Facebook, Pissed Consumer, Ripoff Report, Yelp, Twitter, and other similar sites.

- Google has voluntarily removed defamatory search results listings for around a decade in instances when there is a court order specifying the web addresses (URLs) of defamatory and false contents. Google is not legally required to do this because of their immunization by Section 230, so they can be as arbitrary as they like about whether they will honor removal requests in court orders. They generally will not remove damaging contents from their search results *unless accompanied by a court order* (the main exceptions to their policy is where porn revenge contents and child pornography are concerned – they will remove those without a court order when victims request – but, that does not include written contents related to porn revenge).
- Microsoft's Bing search engine used to similarly remove listings from their results when presented with a court order, but a few years ago they opted to no longer do so (excepting removal requests submitted by victims of porn revenge). Bing search engine

has a smaller percentage of the U.S. market share, so their lack of willingness to take action on removal requests is sometimes not as heavy an impact upon victims, while the higher market share and attendant visibility of Google's search results is a major impact.

- I believe that Google long ago made a strategic choice to remove defamatory content in many cases as a means of reducing sentiment for the legislature to revoke or modify the Section 230 protection. I have described Google's voluntary removal program as something like a "pressure relief valve" for Section 230 – without their voluntary removal policy, there might have been much more pressure for legislature to modify Section 230 prior to now. Defamation removal request processing is an expense to them with no legal requirement and no associated profit. Further, the company bristles at any external oversight to how they program their ranking algorithms and manage their removals. A couple of years ago, Bing suspended acting upon defamation removals and their employees privately told me that this was specifically for cost reduction purposes.
- Google was pretty good about voluntarily removing specific items listed in court orders, however, up until a couple of years ago when they began to realize that some people were gaming their system to get stuff removed. This made them much more selective about what they would and would not remove. I reported on a period of time in late 2016 and early 2017 when the company suspended court-ordered removals.³ In fact, I

³ Smith, Chris Silver. "Paradigm shift: Has Google suspended defamation removals?" Search Engine Land, December 30, 2016. Content location: <https://searchengineland.com/paradigm-shift-google-suspends-defamation-removals-266222>

am aware of numbers of other instances outside of that period when Google has acted very slowly, or refused to act upon court-ordered removals, or has chosen to only partially act upon removals, citing numerous technical or administrative reasons, or declining to provide any reasoning whatsoever. In these instances, victims have no legal recourse to relief from attacks upon their reputations. Indeed, Michael Arnstein's testimony reflects this experience when Google was slow to respond to his attorney's submission of the first court order, and they refused to remove additionally-discovered content stemming from his company's reputation attack. That lack of consistency has occurred in numerous other cases that I have been aware of as well.

- Most defamation cases involve situations where yet more defamatory content is discovered or published subsequent to obtaining a court order to remove it. Although subsequently discovered negative content should perhaps be treated as yet more of the material clearly cited as unfair in a court ordered removal document, Google still requires yet further court orders or amended court orders to include additional URLs not originally cited. Without additional court documents, Google will not remove further material, even when it was clearly part of the original reputation-attacking campaign. In fact, Google's ranking processes are such that once they have removed some negative contents from the top of the search results in such a case, other copies of the same materials may subsequently begin ranking higher, becoming prominent enough for defamation victims and their attorneys to discover. This dynamic is a side effect of how Google engineered their ranking algorithms in order to improve usability – it would be a

very poor user experience if one searched for a topic, and the top 10 search results linked to pages that contained essentially identical main contents. Google actively discourages website operators from publishing duplicated content or from copying entire content from other publicly-visible sources because they desire to provide a useful product.⁴ But, this is difficult for reputation attack victims because attorneys and victims are typically insufficiently sophisticated for thoroughly identifying all duplicated copies of defamatory materials when they catalog contents for identification in defamation lawsuits. It is not at all unusual for attorneys of victims of defamation to have to repeatedly return to court for follow-up documents for further submissions to Google in order to thoroughly obtain relief for victims. This common scenario is precisely what Michael Arnstein has described, and it places an undue onus upon defamation victims since it can result in seemingly never-ending legal fees as they must return to their attorneys and to court repeatedly as previously unidentified copies of reputation attack materials rise into visibility.

- Some egregious websites, such as Ripoff Report, that have purposefully evolved business models to elicit defamatory attacks from the public (whilst hiding behind Section 230 immunity) so that they may profit from victims are now also apparently intentionally spawning multiple versions of page URLs in order to circumvent Google's

⁴ Google. "Duplicate content." Google.com's Search Console Help. Content location: <https://support.google.com/webmasters/answer/66359?hl=en>

court-ordered removal policies.⁵ This sort of predatory behavior also leaves victims with little recourse but to attempt to obtain further court orders, necessitating further costly legal proceedings. In fact, Ripoff Report has done this very thing in Michael Arnstein's case as well. I found this Ripoff Report URL that was listed in the original Order For Default Judgment, Case No. 11 CV 507 (AJN), approved by the Southern District Court of New York:

<http://www.ripoffreport.com/jewelers/the-natural-sapphire/the-natural-sapphire-company-w-2c541.htm>

was set up to redirect to another URL by Ripoff Report:

<https://www.ripoffreport.com/reports/the-natural-sapphire-company/internet/the-natural-sapphire-company-walter-arnstein-tnsc-nsc-your-credit-card-information-is-n-762919>

Whilst Google apparently removed the originally-cited URL from their search results, this new version of it is indexed in Google and can be potentially found by people searching for information about Arnstein's business, "The Natural Sapphire Company." Under the current law, Ripoff Report can brazenly do this sort of technical trick to circumvent Google's voluntary removal service, and Google is not legally compelled to remove the new URL version. These sorts of URL changes have happened multiple times in some instances, with defamation victims continuing to be harmed even after obtaining judicially-approved court orders identifying the content to be removed.

⁵ Smith, Chris Silver. "Is Ripoff Report subverting Google take-downs?" Search Engine Land, April 19, 2017. Content location: <https://searchengineland.com/ripoff-report-subverting-google-take-downs-273440>

- Once any content is published onto pages on the internet, it can be duplicated on many other websites through fairly common dynamics as well. There are websites that document and republish content found on other websites. Social media sites encourage users to share and reshare contents many times over. Some websites syndicate their contents out among many dozens or hundreds of partners. Various content management systems common to websites will produce multiple URLs displaying the same webpage under various circumstances. “Content-scraping” websites, intended to automatically generate content in order to spam the internet with webpages, also further regurgitate contents. All of these dynamics come into play in attempting to permanently remove defamatory content identified in court orders. Google’s insistence upon having specific URLs identified for removal, as opposed to simply agreeing to remove any webpages containing specific content, further complicates the process. Google’s pedantism in requiring extremely precise URLs also complicates the process when attorneys and victims submit URLs – many websites will display the same webpage albeit with very minor variations in characters in the web address, causing frustrations when trying to identify URLs that should be removed. The following URLs could all point to the exact same webpage, for instance, while being deemed by Google to be different URLs, each requiring specific listing in court-ordered removal requests:

<http://example.com>

<https://example.com>

<http://www.example.com>

<https://www.example.com>

<http://example.com/>

<https://example.com/>

<https://example.com/#>

<https://example.com/index.htm>

<https://example.com/?src=twitter>

<https://mobile.example.com/>

- In some instances, reputation attacks on victims are ongoing, and there is no authority nor system in place to protect innocent victims from this. When malevolent actors are based in foreign jurisdictions, or are adept at hiding their identities, they can act with impunity, and damaging materials can continue to be published, even as court orders might be obtained to remove what has already appeared. While there seems to be no real policing available to halt this sort of an attack, victims are left to do anything they can to mitigate or halt what is being done since no one else can or will protect them. Arnstein and his company were victims of a severe, ongoing attack that lasted some years (and, following such a concerted online attack, one could easily mistake any subsequently emerging negative content as likely to be originating from the same malicious source).
- The repeated trips back to attorneys to obtain follow-up removal court orders is highly pricey to defamation victims. Justice is priced out of reach of many individuals, and I have known of other victims who cannot afford follow-up removal requests, but

endeavor to handle those interactions with search engines and other content publishers themselves, or who contract with non-attorney reputation specialists to submit further removal requests to Google.

- Section 230 of the CDA in many ways sacrificed individuals for the profitability of corporations, and proponents have de facto argued that the collateral damage was justified by the ends. As Rebecca Tushnet, Professor of Law at Georgetown University has pointed out, the CDA allows internet intermediaries to voluntarily exercise editorial controls if they wish, but they are not required to do so, conveying great power to them without responsibility.⁶ (Ironically from my point of view, the Digital Millennium Copyright Act *does* require that they take action for copyright infringement notices, which protects largely corporate financial interests by far greater degree than individual's interests – in fact, each of the large internet intermediary companies such as Google, Bing, Facebook, Twitter, and others maintain significant numbers staff members to oversee such legally-demanded copyrighted content removal notices, largely countering the arguments they have made that large corporations need the Section 230 protections to preserve profitability.) What is clear is that large corporate interests are being serviced while individuals' are not. A number of the most-vocal advocates and theorists who urge for preserving Section 230 as-is appear to me to be influenced by thinly-veiled corporate interests cloaked in First Amendment self-righteousness – and,

⁶ Tushnet, Barbara. "Power Without Responsibility: Intermediaries and the First Amendment." Georgetown University Law Center, August, 2008. Content location: https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1078&context=fwps_papers

these folks rarely, if ever, speak to the human collateral damage involved, or how some modification to the law might be reasonable and advisable to preserve individuals' rights to life, liberty and the pursuit of happiness.

- While FOSTA-SESTA is perhaps a good example for how many now feel that Section 230 is in need of some sort of revisions or qualifications for a number of reasons, defamation victims are still left in the cold. The despair and desperation I have witnessed from a number of clients and people who have consulted with me about falsely defaming contents that target them online is highly motivating. If I were merely selfishly motivated, I would not advocate for modification of Section 230 and increasing individuals' rights in fighting defamation. After all, for those that cannot afford legal assistance, reputation management/repair agencies like mine are the second level of hope – our industry profits from desperate individuals for whom legal options have failed or are out of reach. People who cannot escape the false light cast by untrue negative statements about themselves online increasingly feel like they have little hope, and some even attempt suicide as an escape. For this reason, I refer some of my clients to a registered psychological counselor. It is easy to pontificate about the need for reduced onus upon large corporations when one is operating from the distance of academic ivory towers. But, when one is witness to the human misery caused when you or your business are drastically harmed by materials appearing on page one in Google's search results for your name, one cannot in good conscience remain indifferent.

- In his recently published white paper outlining possible regulations for social media and technology companies, U.S. Senator Mark Warner suggested that the legislature might make the companies that are immune under Section 230 of the Communications Decency Act to be liable for state-law torts including defamation, casting people in false light, and public disclosure of private facts.⁷ He also wrote:

“Currently the onus is on victims to exhaustively search for, and report, this content to platforms – who frequently take months to respond and who are under no obligation thereafter to proactively prevent the same content from being re-uploaded in the future. Many victims describe a ‘whack -a- mole’ situation. Even if a victim has successfully secured a judgment against the user who created the offending content, the content in question in many cases will be re-uploaded by other users. In economic terms, platforms represent “least - cost avoiders” of these harms; they are in the best place to identify and prevent this kind of content from being propagated on their platforms. Thus, a revision to Section 230 could provide the ability for users who have successfully proved that sharing of particular content by another user constituted a dignitary tort to give notice of this judgement to a platform; with this notice, platforms would be liable in instances where they did not prevent the content in question from being re-uploaded in the future – a process made possible by existing perceptual hashing technology (e.g. the technology they use to identify and automatically take down child pornography).”

So, senators recognize the seriously disadvantageous situation that has been set up against online defamation victims, and perceive a need to mend the gap in the law. This has not been done yet, so the relief available to victims is elusive and often unavailable.

- To a very large degree, one’s online reputation has become an indelible part of one’s identity. One’s life and livelihood are almost inextricably linked now from one’s online

⁷ Warner, Mark. “Potential Policy Proposals for Regulation of Social Media and Technology Firms.” White paper policy draft, July 31, 2018. Content source: <https://www.scribd.com/document/385137394/MRW-Social-Media-Regulation-Proposals-Developed>

virtual identity. When people consider buying products or services, they will search on Google for information about providers, and if they see something bad about one, they are far more likely to seek out a different provider. First impressions heavily color one's perception about an individual or a business, and having that first impression tainted by falsely negative material can keep potential customers away.

For these reasons, online defamation victims are not really given a fair deal.

In order to simply get false and damaging information removed, they are handed unduly burdensome requirements for pursuing courts' acknowledgement that they were unfairly defamed online. And, they simultaneously risk that despite a financial investment in litigation, the behemoth website companies whose properties most visibly feature the damaging contents may arbitrarily decide not to remove it. Even once content has been removed from services like Google, they may then have to return with court documents for yet more iterations with no clear end in sight.

With this background in mind, I ask the court to consider that Michael Arnstein was first a victim who sought help from the justice system. By his account, it seems that the FBI was unable to help him, and he had already been in a state of financial extremis by the time he legally obtained from your court an order establishing that the contents persecuting him and his company were false and defamatory. At this point, Google unilaterally opted not to act on some URLs and yet more URLs subsequently became visible, stemming from the same

reputation attack. With redemption for his business seeming to be finally near, Arnstein then proceeded to try to add more URLs onto his legally-obtained court order. Considering that removing defamatory content was already approved by the court, and that Arnstein merely strove to complete the redress for the heavy impact of harm already inflicted upon him, this should very nearly be considered a victimless crime.

Arnstein's contention that he was advised by a reputation firm that he should modify copies of court orders to resubmit to Google is worth examining a bit in the context of the reputation management industry itself. Here are a few key points:

- The situations created by Section 230 in terms of online reviews and search results have resulted in growth of the online reputation management industry to over \$5 billion annually.⁸ Businesses and individuals are significantly driven to seek out solutions to online reputation damage, and reputation service providers are driven to attempt to satisfy that demand.
- Once people began recognizing that Google often removed defamatory search results when presented with a court order, they became very tempted to try to create shortcuts for the process. It can take 12 months or more to go through a defamation trial, all while one's reputation and business or personal life remain injured. And, obtaining necessary evidence for trial is also challenging. Attackers sometimes cannot

⁸ Williams, Jed. "SLM Industry Report: The State of Reputation Management." BIA Advisory Services, May 13, 2011. Content location: <http://blog.biakelsey.com/index.php/2011/05/13/slm-industry-report-the-state-of-reputation-management/>

be identified, or the statutes of limitations have passed (sometimes it takes victims months or years to recognize that online content was so harmful to their lives and their business that they discover to their chagrin that they waited too long to take action), or speech involved is simply protected opinion. Even more frustrating, civil litigation is often very expensive. Shady professionals came up with reproducible methodologies for gaming the court system, such as using fake defendants and obtaining default judgments. There was a lot of money that could be made from desperate people, and these unethical individuals and companies went for it.

- There have been a number of cases reported of online reputation management agencies and attorneys that committed variations of fraud upon the court process in order to obtain court orders declaring URLs to be false and defamatory. Some of these cases involved using fake defamation defendants who would allocute to having posted the damaging materials, or reputation repair professionals who would pay a person to post additional defamatory contents on undesirable articles (such as adding comments on blog posts or news articles) in order to subsequently obtain an allocution from an individual confessing to doing it in order to get the entire article removed. There were likely also many other instances of duplicated/forged court order documents as well. Eugene Volokh (a law professor) and Paul Alan Levy (an attorney with Public Citizen) have researched upon and reported upon a number of these instances.⁹

⁹ Volokh, Eugene; Levy, Paul Alan. "Dozens of suspicious court cases, with missing defendants, aim at getting web pages taken down or deindexed." The Washington Post, October 10, 2016. Content location: <https://www.washingtonpost.com/news/volokh-conspiracy/wp/2016/10/10/dozens-of-suspicious-court-cases->

- It's my observation that virtually all instances of fraud upon the court process were caused and conducted by unethical members of the online reputation management profession and unethical attorneys specialized in defamation removals. Some of the cases involving this have clients involved who say they were not aware-of, nor had they authorized reputation management agencies to conduct court processes on their behalf.
- Most defamation victims find themselves in a desperate situation where they feel they are fighting for their lives. When they are in that state, they will take virtually any steps advised by reputation industry specialists in order to resolve their situation. Most individuals in such situations are not necessarily all that sophisticated about the legalities and technicalities of different actions.
- Since a number of websites have now reported upon incidents where court orders were fraudulently obtained, real defamation victims involved have been harmed further by being publicly linked to the unethically-obtained court orders. The ruthless reputation management firms and attorneys involved are thus responsible for further harming victims that likely had little idea of what was being conducted on their behalves.

In this context of significant degrees of unethical behavior in the reputation management industry, I believe it was entirely likely that Michael Arnstein received very bad legal advice from industry professionals, just as he has described. I rather doubt that Arnstein would have thought to have forged amended court orders if it had not been suggested to him by individuals who were experienced with Google's removal process. I suspect that if the company Arnstein interacted with were to be investigated, one might find indications that they could very well have been involved in fraudulently-obtained court orders themselves, or at best, quasi-legal ones. (My understanding, based upon unofficial communications from three different sources, is that the FBI is indeed investigating the firm that gave Arnstein reputation management advice. My understanding is that individuals with this firm may very well have helped their clients obtain multiple fraudulent court orders for removals of "defamatory" content from search engines. If this is indeed true, it strongly supports Arnstein's testimony that he was advised by this firm that he could modify his legally-obtained court order to include URLs that Google would not otherwise have agreed to remove about his company.) I think that if reputation management industry professionals gave him such illegal advice, that they should bear the greater degree of responsibility as opposed to primarily blaming a desperate victim of defamation for grabbing for a solution they offered to him, particularly as he had exhausted virtually every other avenue.

Our legislature knowingly built in a major gap in tort remedies available to people and businesses who are attacked online with false and damaging materials. The legislators recognized this at the time, accepting the human collateral damage for the greater good

brought by the internet, and also for greater corporate profitability. Legislators now are increasingly recognizing that this gap calls to be addressed in order to reduce harm, and the law involved will likely get eventually modified in some way. This major gap created extensive desperation and pressures that people have used to profit from, and unethical individuals have preyed upon the victims involved, and manipulated and twisted the justice system in order to provide avenues of relief that were otherwise very elusive and unavailable.

It is for these reasons that I urge the court to be very lenient towards Michael Arnstein. While vigilantism and forgery of judges' signatures and court documents are not acceptable, he was first and foremost a victim, and it seems unfair to exact a punishment upon him for overreaching to obtain the relief that this court intended to convey upon him earlier when he successfully obtained the court order identifying the defamatory materials. I urge you to recognize beyond the bare bones of the facts presented by the Justice Department in this case, there is a bigger picture in the context of which Michael Arnstein is representative of a great many more similar victims who share fairly dire circumstances with little to no chances of relief under the present system vis-à-vis how Section 230 of the CDA rendered relief unobtainable.

Sincerely,

A handwritten signature in black ink, reading "Chris Smith". The signature is fluid and cursive, with the first name "Chris" and last name "Smith" clearly legible.

Chris Silver Smith
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